



08-21-02

Receipt

EXPRESS MAIL NO.: EV 074 546 984 US

FILE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert PETERMANN et al.

Application No.: 10,081,788

Group Art Unit: 1761

Filed: February 22, 2002

Examiner:

For: FERMENTED MILK PRODUCT  
AND PROCESS

Attorney Docket No.: 88265-6778

REQUEST FOR CORRECTION OF FILING RECEIPT

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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SEP 9 - 2002  
TC 1700

Sir:

An updated filing receipt for the above-identified application has been received with the earlier domestic priority data missing and the following correction is respectfully requested:

Please insert the following data under **Domestic Priority data** to read:

--This application is a CIP of **PCT/EP00/07121 7/24/2000** and  
**PCT/EP00/05945 6/26/2000**--

A copy of the incorrect filing receipt along with a copy of the inventor's declaration are enclosed herewith in support of this change. No fee is believed to be due for this submission. Please charge any required fees to WINSTON & STRAWN Deposit Account No. **501-814**.

Respectfully submitted,

Date

8/19/02

Allan A. Fanucci

Reg. No. 30,256

WINSTON & STRAWN  
CUSTOMER NO. 28765  
(212) 294-3311

Enclosures



NO 6778103

File No. 88265-6778

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\***

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FERMENTED MILK PRODUCT AND PROCESS**

and for which a patent application and for which a patent application

- ☒ which is attached hereto  
☒ which is identified by docket No. 88265-6778  
☒ which was filed on \_\_\_\_\_, as Application No. \_\_\_\_\_

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I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION |         |                                      |                              |                             |
|--|---------|--------------------------------------|------------------------------|-----------------------------|
| APPLICATION NUMBER   | COUNTRY | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED             |                             |
|  |         |                                      | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.


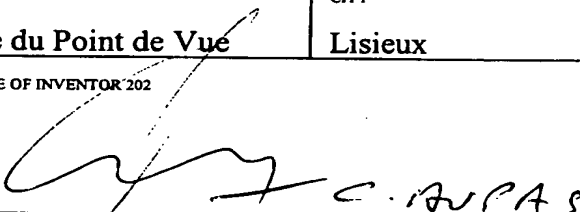
| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|-------------|
|                                |             |
|                                |             |


\* for use only when the application is assigned to a company, partnership or other organization.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL<br>APPLICATION SERIAL NO. | FILING DATE          | STATUS   |          |           |
|---|----------------------|----------|----------|-----------|
|   |                      | PATENTED | PENDING  | ABANDONED |
| <b>PCT/EP00/07121</b>                     | <b>July 24, 2000</b> |          | <b>X</b> |           |
| <b>PCT/EP00/05945</b>                     | <b>June 26, 2000</b> |          | <b>X</b> |           |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|             |   |  |  |  |                            |
|-------------|---|--|--|--|----------------------------|
| 2<br>0<br>1 | FULL NAME<br>OF INVENTOR  | LAST NAME<br><b>PETERMANN</b>            | FIRST NAME<br><b>Robert</b>                    | MIDDLE NAME                              |                            |
|             | RESIDENCE &<br>CITIZENSHIP  | CITY<br><b>Konolfingen</b>               | STATE OR FOREIGN COUNTRY<br><b>Switzerland</b> | COUNTRY OF CITIZENSHIP<br><b>Germany</b> |                            |
|             | POST OFFICE<br>ADDRESS  | STREET<br><b>Birkenweg 3</b>             | CITY<br><b>Konolfingen</b>                     | STATE OR COUNTRY<br><b>Switzerland</b>   | ZIP CODE<br><b>CH-3510</b> |
|             | SIGNATURE OF INVENTOR 201<br> |  |  | DATE<br><b>28/21 2002</b>                |                            |
| 2<br>0<br>2 | FULL NAME<br>OF INVENTOR  | LAST NAME<br><b>DUPAS</b>                | FIRST NAME<br><b>Christian</b>                 | MIDDLE NAME                              |                            |
|             | RESIDENCE &<br>CITIZENSHIP  | CITY<br><b>Lisieux</b>                   | STATE OR FOREIGN COUNTRY<br><b>France</b>      | COUNTRY OF CITIZENSHIP<br><b>France</b>  |                            |
|             | POST OFFICE<br>ADDRESS  | STREET<br><b>7a, rue du Point de Vue</b> | CITY<br><b>Lisieux</b>                         | STATE OR COUNTRY<br><b>France</b>        | ZIP CODE<br><b>F-14100</b> |
|             | SIGNATURE OF INVENTOR 202<br> |  |  | DATE<br><b>28/04/2002</b>                |                            |

|             |                            |  |  |  |                            |
|-------------|----------------------------|--|--|--|----------------------------|
| 2<br>0<br>3 | FULL NAME<br>OF INVENTOR   | LAST NAME<br><b>MESSERLI</b>   | FIRST NAME<br><b>Alfred</b>                    | MIDDLE NAME                                  |                            |
|             | RESIDENCE &<br>CITIZENSHIP | CITY<br><b>Grosshöchstetten</b>  | STATE OR FOREIGN COUNTRY<br><b>Switzerland</b> | COUNTRY OF CITIZENSHIP<br><b>Switzerland</b> |                            |
|             | POST OFFICE<br>ADDRESS     | STREET<br><b>Sonnhaldenweg 23</b>  | CITY<br><b>Grosshöchstetten</b>                | STATE OR COUNTRY<br><b>Switzerland</b>       | ZIP CODE<br><b>CH-3506</b> |
|             |                            | SIGNATURE OF INVENTOR 203<br> |  | DATE<br><b>8.4.02</b>                        |                            |

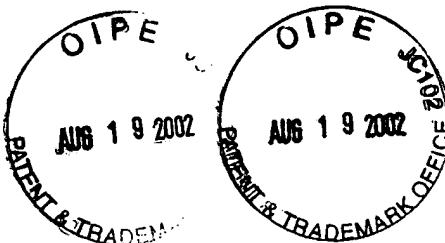


## UNITED STATES PATENT AND TRADEMARK OFFICE

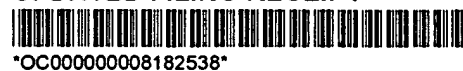
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www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO. | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 10/081,788         | 02/22/2002  | 1761         | 870           | 88265-6778       |          | 20         | 2          |

28765  
WINSTON & STRAWN  
PATENT DEPARTMENT  
1400 L STREET, N.W.  
WASHINGTON, DC 20005-3502



CONFIRMATION NO. 2714  
UPDATED FILING RECEIPT



Date Mailed: 05/24/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Robert Petermann, Konolfingen, SWITZERLAND;  
Christian Dupas, Lisieux, FRANCE;  
Alfred Messerli, Grosshochstetten, SWITZERLAND;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF PCT/EP00/07121 07/24/2000  
PCT/EP00/05945 6/26/2000

← PLS. insert

## Foreign Applications

If Required, Foreign Filing License Granted 03/18/2002

Projected Publication Date: 08/29/2002

Non-Publication Request: No

Early Publication Request: No

## Title

Fermented milk product and process

## Preliminary Class

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